

105TH CONGRESS
1ST SESSION

H. R. 1271

AN ACT

To authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 through 2000, and for other purposes.

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To authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 through 2000, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “FAA Research, Engi-
3 neering, and Development Authorization Act of 1997”.

4 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

5 Section 48102(a) of title 49, United States Code, is
6 amended—

7 (1) by striking “and” at the end of paragraph
8 (2)(J);

9 (2) by striking the period at the end of para-
10 graph (3)(J) and inserting in lieu thereof a semi-
11 colon; and

12 (3) by adding at the end the following:

13 “(4) for fiscal year 1998, \$217,406,000, includ-
14 ing—

15 “(A) \$75,550,000 for system development
16 and infrastructure projects and activities;

17 “(B) \$19,614,000 for capacity and air
18 traffic management technology projects and ac-
19 tivities;

20 “(C) \$15,132,000 for communications,
21 navigation, and surveillance projects and activi-
22 ties;

23 “(D) \$9,982,000 for weather projects and
24 activities;

25 “(E) \$5,458,000 for airport technology
26 projects and activities;

1 “(F) \$26,625,000 for aircraft safety tech-
2 nology projects and activities;

3 “(G) \$49,895,000 for system security tech-
4 nology projects and activities;

5 “(H) \$10,737,000 for human factors and
6 aviation medicine projects and activities;

7 “(I) \$3,291,000 for environment and en-
8 ergy projects and activities; and

9 “(J) \$1,122,000 for innovative/cooperative
10 research projects and activities;

11 “(5) for fiscal year 1999, \$224,000,000; and

12 “(6) for fiscal year 2000, \$231,000,000.”.

13 **SEC. 3. BUDGET DESIGNATION FOR RESEARCH AND DEVEL-**
14 **OPMENT ACTIVITIES.**

15 Section 48102 of title 49, United States Code, is
16 amended by adding at the end the following new sub-
17 section:

18 “(g) DESIGNATION OF ACTIVITIES.—(1) The
19 amounts appropriated under subsection (a) are for the
20 support of all research and development activities carried
21 out by the Federal Aviation Administration that fall with-
22 in the categories of basic research, applied research, and
23 development, including the design and development of pro-
24 totypes, in accordance with the classifications of the Office

1 of Management and Budget Circular A–11 (Budget For-
2 mulation/Submission Process).

3 “(2) The President’s annual budget request for the
4 Federal Aviation Administration shall include all research
5 and development activities within a single budget category.
6 All of the activities carried out by the Administration with-
7 in the categories of basic research, applied research, and
8 development, as classified by the Office of Management
9 and Budget Circular A–11, shall be placed in this single
10 budget category.”.

11 **SEC. 4. NATIONAL AVIATION RESEARCH PLAN.**

12 Section 44501(c)(2)(B) of title 49, United States
13 Code, is amended—

14 (1) by striking “and” at the end of clause (iii);

15 (2) by striking the period at the end of clause
16 (iv) and inserting in lieu thereof “; and”; and

17 (3) by adding at the end the following new
18 clause:

19 “(v) highlight the research and development
20 technology transfer activities that promote tech-
21 nology sharing among government, industry, and
22 academia through the Stevenson-Wydler Technology
23 Innovation Act of 1980.”.

1 **SEC. 5. RESEARCH GRANTS PROGRAM INVOLVING UNDER-**
2 **GRADUATE STUDENTS.**

3 (a) PROGRAM.—Section 48102 of title 49, United
4 States Code, is amended by adding at the end the follow-
5 ing new subsection:

6 “(h) RESEARCH GRANTS PROGRAM INVOLVING UN-
7 DERGRADUATE STUDENTS.—

8 “(1) ESTABLISHMENT.—The Administrator of
9 the Federal Aviation Administration shall establish a
10 program for awarding grants to researchers at pri-
11 marily undergraduate institutions, including pri-
12 marily undergraduate Historically Black Colleges
13 and Universities and Hispanic Serving Institutions,
14 who involve undergraduate students in their research
15 on subjects of relevance to the Federal Aviation Ad-
16 ministration. Grants may be awarded under this
17 subsection for—

18 “(A) research projects to be carried out at
19 primarily undergraduate institutions; or

20 “(B) research projects that combine re-
21 search at primarily undergraduate institutions
22 with other research supported by the Federal
23 Aviation Administration.

24 “(2) NOTICE OF CRITERIA.—Within 6 months
25 after the date of the enactment of the FAA Re-
26 search, Engineering, and Development Authorization

1 Act of 1997, the Administrator of the Federal Avia-
2 tion Administration shall establish and publish in
3 the Federal Register criteria for the submittal of
4 proposals for a grant under this subsection, and for
5 the awarding of such grants.

6 “(3) PRINCIPAL CRITERIA.—The principal cri-
7 teria for the awarding of grants under this sub-
8 section shall be—

9 “(A) the relevance of the proposed re-
10 search to technical research needs identified by
11 the Federal Aviation Administration;

12 “(B) the scientific and technical merit of
13 the proposed research; and

14 “(C) the potential for participation by un-
15 dergraduate students in the proposed research.

16 “(4) COMPETITIVE, MERIT-BASED EVALUA-
17 TION.—Grants shall be awarded under this sub-
18 section on the basis of evaluation of proposals
19 through a competitive, merit-based process.”.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
21 48102(a) of title 49, United States Code, as amended by
22 this Act, is further amended—

23 (1) by inserting “, of which \$500,000 shall be
24 for carrying out the grant program established

1 under subsection (h)” after “projects and activities”
 2 in paragraph (4)(J);

3 (2) by inserting “, of which \$500,000 shall be
 4 for carrying out the grant program established
 5 under subsection (h)” after “\$224,000,000” in para-
 6 graph (5); and

7 (3) by inserting “, of which \$500,000 shall be
 8 for carrying out the grant program established
 9 under subsection (h)” after “\$231,000,000” in para-
 10 graph (6).

11 **SEC. 6. LIMITATIONS.**

12 (a) PROHIBITION OF LOBBYING ACTIVITIES.—None
 13 of the funds authorized by the amendments made by this
 14 Act shall be available for any activity whose purpose is
 15 to influence legislation pending before the Congress, ex-
 16 cept that this subsection shall not prevent officers or em-
 17 ployees of the United States or of its departments or agen-
 18 cies from communicating to Members of Congress on the
 19 request of any Member or to Congress, through the proper
 20 channels, requests for legislation or appropriations which
 21 they deem necessary for the efficient conduct of the public
 22 business.

23 (b) LIMITATION ON APPROPRIATIONS.—No sums are
 24 authorized to be appropriated to the Administrator of the
 25 Federal Aviation Administration for fiscal years 1998,

1 1999, and 2000 for the Federal Aviation Administration
2 Research, Engineering, and Development account, unless
3 such sums are specifically authorized to be appropriated
4 by the amendments made by this Act.

5 (c) ELIGIBILITY FOR AWARDS.—

6 (1) IN GENERAL.—The Administrator of the
7 Federal Aviation Administration shall exclude from
8 consideration for grant agreements made by that
9 Administration from the Research, Engineering, and
10 Development account after fiscal year 1997 any per-
11 son who received funds, other than those described
12 in paragraph (2), appropriated for a fiscal year after
13 fiscal year 1997, under a grant agreement from any
14 Federal funding source for a project that was not
15 subjected to a competitive, merit-based award proc-
16 ess. Any exclusion from consideration pursuant to
17 this subsection shall be effective for a period of 5
18 years after the person receives such Federal funds.

19 (2) EXCEPTION.—Paragraph (1) shall not
20 apply to the receipt of Federal funds by a person
21 due to the membership of that person in a class
22 specified by law for which assistance is awarded to
23 members of the class according to a formula pro-
24 vided by law.

1 (3) DEFINITION.—For purposes of this sub-
2 section, the term “grant agreement” means a legal
3 instrument whose principal purpose is to transfer a
4 thing of value to the recipient to carry out a public
5 purpose of support or stimulation authorized by a
6 law of the United States, and does not include the
7 acquisition (by purchase, lease, or barter) of prop-
8 erty or services for the direct benefit or use of the
9 United States Government. Such term does not in-
10 clude a cooperative agreement (as such term is used
11 in section 6305 of title 31, United States Code) or
12 a cooperative research and development agreement
13 (as such term is defined in section 12(d)(1) of the
14 Stevenson-Wydler Technology Innovation Act of
15 1980 (15 U.S.C. 3710a(d)(1))).

16 **SEC. 7. NOTICE.**

17 (a) NOTICE OF REPROGRAMMING.—If any funds au-
18 thorized by the amendments made by this Act are subject
19 to a reprogramming action that requires notice to be pro-
20 vided to the Appropriations Committees of the House of
21 Representatives and the Senate, notice of such action shall
22 concurrently be provided to the Committees on Science
23 and Transportation and Infrastructure of the House of
24 Representatives and the Committee on Commerce,
25 Science, and Transportation of the Senate.

1 (b) NOTICE OF REORGANIZATION.—The Adminis-
2 trator of the Federal Aviation Administration shall provide
3 notice to the Committees on Science, Transportation and
4 Infrastructure, and Appropriations of the House of Rep-
5 resentatives, and the Committees on Commerce, Science,
6 and Transportation and Appropriations of the Senate, not
7 later than 15 days before any major reorganization of any
8 program, project, or activity of the Federal Aviation Ad-
9 ministration for which funds are authorized by this Act.

10 **SEC. 8. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.**

11 With the year 2000 fast approaching, it is the sense
12 of Congress that the Federal Aviation Administration
13 should—

14 (1) give high priority to correcting all 2-digit
15 date-related problems in its computer systems to en-
16 sure that those systems continue to operate effec-
17 tively in the year 2000 and beyond;

18 (2) assess immediately the extent of the risk to
19 the operations of the Federal Aviation Administra-
20 tion posed by the problems referred to in paragraph
21 (1), and plan and budget for achieving Year 2000
22 compliance for all of its mission-critical systems; and

23 (3) develop contingency plans for those systems
24 that the Federal Aviation Administration is unable
25 to correct in time.

1 **SEC. 9. BUY AMERICAN.**

2 (a) COMPLIANCE WITH BUY AMERICAN ACT.—No
3 funds appropriated pursuant to the amendments made by
4 this Act may be expended by an entity unless the entity
5 agrees that in expending the assistance the entity will
6 comply with sections 2 through 4 of the Act of March 3,
7 1933 (41 U.S.C. 10a–10c, popularly known as the “Buy
8 American Act”).

9 (b) SENSE OF CONGRESS.—In the case of any equip-
10 ment or products that may be authorized to be purchased
11 with financial assistance provided under the amendments
12 made by this Act, it is the sense of Congress that entities
13 receiving such assistance should, in expending the assist-
14 ance, purchase only American-made equipment and prod-
15 ucts.

16 (c) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
17 providing financial assistance under the amendments
18 made by this Act, the Administrator of the Federal Avia-
19 tion Administration shall provide to each recipient of the
20 assistance a notice describing the statement made in sub-
21 section (a) by the Congress.

Passed the House of Representatives April 29, 1997.

Attest:

Clerk.